

REMARKS

Claims 1-49 are pending in the application. Claims 1-49 are rejected.

Claim 1 has been amended to clarify applicant's claimed invention. According to claim 1 the value and/or characteristics of a basic game image over which the second image component is superimposed is changed by the game control means such that the result of a game played on the console is changed in at least some plays of the game by the second image component.

This feature is supported by the specification, for example page 8, lines 5-12.

Applicant has also added three new independent claims. Claims 50-51 are likewise supported by the specification.

For example claim 50 describes: alter the display and outcome for a play by controlling the display to display a superimposed, transparent second image, said second image and any underlying game symbols visible to the player. This feature is supported by the specification, for example page 8, lines 5-12.

Claim 51 describes: display a superimposed, transparent second image, said second image and any underlying game symbols visible to the player, the appearance of the second image independent of a displayed game symbol. This feature is supported by the specification, for example page 7, lines 24-26.

Claim 52 describes: the second image component does not conceal the first image component, and wherein the first image component and the second image component are displayed on the same electronic display, the game controller preventing play of the game when the second image component is displayed on the display means. This feature is supported by the specification, for example page 7, lines 24-30.

Claims 1-9, 12, 13, 16, 17, 20-26, 29, 32, 38-44 and 47 are rejected under 35 U.S.C. 103 as being unpatentable over Falciglia (5,935,002).

Falciglia shows shaded areas however the shaded areas are used by the processor to highlight matching numbers. The underlying figures provide the features of game play, the shading only highlights the numbers.

Thus the shading does not change the result of the numbers underlying the shading. In contrast claim 1 describes the value and/or characteristics of a basic game image over which the second image component is superimposed is changed by the game control means such that the result of a game played on the console is changed in at least some plays of the game by the second image component.

Falciglia fails to teach the features of applicant's independent claim 1. Similarly the features described in new claims 50-52 are not suggested by Falciglia because Falciglia only describes the shading to highlight the underlying game symbols and does not describe changing the value or characteristics, nor alter the display and outcome for a play (claim 50).

Nor is the shading independent of the underlying figures. It is dependent on what number is being displayed. Also Falciglia fails to mention anything concerning the game controller preventing play of the game when the second image component is displayed on the display means.

Claims 10, 11, 14, 15, 18, 19, 27, 28, 30, 31, 33-37, 45, 46, 48, 49 are rejected under 35 U.S.C. 103 as being unpatentable over Falciglia in view of Bennett. Bennett describes a wild symbol moving around the display. But Bennett states in col. 3, lines 45-55 as the symbol moves it changes the original symbol and then changes back to the original symbol. There is no suggestion of the value and/or characteristics of a basic game image over which the second

image component is superimposed is changed by the game control means such that the result of a game played on the console is changed in at least some plays of the game by the second image component.

Bennett also states the pay is for each winning combination in which the PENGUIN substitutes. Applicant second image is superimposed where the value and/or characteristic of an underlying image can change.

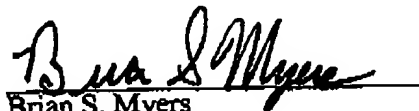
It is respectfully submitted that the combination of Falciglia and Bennett fail to teach the features claim by applicant. The rejections should be withdrawn for at least the foregoing reasons.

Please charge the amount of \$600 for three extra independent claims to Deposit Account 50-1290.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8703
Fax (212) 940-8986
Docket No.: 333832-00009 (2745/FRHL)
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